

## ***Agreement to Mediate\****

\*Note: The agreement on the next page is a mandatory form which must be used. The SNAP Committee reserves the right to approve any additional agency agreements that may be tailored to the needs of the parties or the agency.

## SHARED NEUTRALS ADR PROGRAM (SNAP)

## *Agreement to Mediate*

This is an agreement between \_\_\_\_\_ and \_\_\_\_\_ (the parties) to enter into mediation.

1. The mediators are neutral facilitators who will help the parties develop their own solutions.
2. Everyone is committed to this process.
3. Everyone understands mediation is not a substitute for independent legal advice. The mediators are not the legal representative of any of the parties and will not give legal advice.
4. Everyone agrees the mediation is confidential, unless otherwise agreed to by the parties. The parties agree that they will not call the mediators to be witnesses, nor will their documents be subpoenaed. However, the mediators are bound to report information as required by statute or court order (5 U.S.C. 574). Agreed-upon exceptions to confidentiality are:
  5. Information originating during the mediation will be used only for the purposes of the mediation, except as required by law.
  6. The parties agree to make a good-faith effort to work together with the aid of the mediators and to make full disclosure of all relevant information.
  7. While all intend to continue with mediation until an agreement is reached, anyone may withdraw from mediation at any time. If a party decides to withdraw from mediation s/he will make best efforts to discuss this decision with the other party and the mediators.

8. The mediators will stop the mediation if they feel an impasse has been reached, if they cannot maintain their neutrality, or if, for any other reason they cannot perform their role in an ethical and effective manner. The mediators will also make best efforts to discuss this decision with the parties.
9. The parties waive any right of action, in any form whatsoever, they may have against the mediators, observers, the SNAP Committee, and the Federal Executive Board, for any allegation of wrongful conduct on their part while acting in the course of mediation.
10. The parties agree not to seek in any form whatsoever, or in any manner whatsoever, any documents sent to, or used by, the Federal Executive Board's Shared Neutrals ADR Program.

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Party (Signature and Date)

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Party (Signature and Date)